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July 17, 2019

Via Electronic Mail (chambers of vfp@njb.uscourts.gov)

The Honorable Judge Vincent F. Papalia
United States Bankruptcy Judge
United States Bankruptcy Court
50 Walnut Street
Newark, New Jersey 07102

Re: Comet Management Company, LLC v. Nicole L. Lyew-Wooten
Case No.: 18-33380/Adv. No.: 19-01114
Our File No.: 3352-001

Dear Judge Papalia:

This firm is counsel to plaintiff Comet Management Company, LLC (“Plaintiff”) in the matter above. Please accept this letter as a reply to Nicole Lyew-Wooten’s (“Debtor”) response which was submitted on July 11, 2019 to Plaintiff’s Objection to the Confirmation of Debtor’s Chapter 13 Plan that was filed with the court on January 31, 2019. For the reason set forth herein, we respectfully request Your Honor adjourn the confirmation hearing pending a valuation hearing and the resolution of the adversary proceeding scheduled for a hearing on July 25, 2019. We submit that confirmation of the Chapter 13 Plan would be premature while the value of the Debtor’s real estate remains in dispute and prior to resolution of the Adversary Proceeding.

I. The Valuation of the Debtor’s Home is in Dispute

The primary thrust of the Plaintiff’s objection to the Chapter 13 Plan turned on the Debtor’s undervaluing of the Debtor’s sole piece of real estate located at 6 Hillsdale Terrace, Sussex, New Jersey (the “Property”). The Debtor’s petition claimed the Property had a value of \$229,000.00. In order to support Plaintiff’s claim, this office attempted to have an appraisal completed by an independent third-party (the “Appraiser”). However, this process was severely delayed by the Debtor refusal to provide the Appraiser with her contact information and further miscommunication between the Debtor and Appraiser.

Notwithstanding the above, the Appraiser completed his report on or around April 25, 2019, which valued the Property at \$275,000.00 (the “Appraisal”). This office did not receive copy of the appraisal until July 2, 2019. A copy of the Appraisal is attached herein as **Exhibit A**. As the

Letter to Hon. Vincent F. Papalia
July 17, 2019
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value of the Property remains in dispute, the Plaintiff requests a valuation hearing to resolve the value of the Property consistent with § 506(a) and prior to the confirmation of the Chapter 13 Plan.

The Debtor argues that even with Plaintiff's higher valuation of the Property, the substantial mortgage on the Property and the IRS lien leaves the remaining equity in the home below the \$23,675.00 Federal exemption under 11 U.S.C. §522(d)(1). Thus, Plaintiff will be unaffected by a higher valuation of the Property.

The Debtor argument is flawed in two respects: (1) it includes the cost of sale, and (2) it assumes that the lack of non-exempt equity should be a factor when determining the value of the property.

First, Debtor includes the cost of sale, which if valued at eight percent 8% —as the Debtor suggest—of the value of the home would be approximately \$22,000. Under §506(a) the debtor cannot include costs of sale or marketing in the valuation of the home. Therefore, relying on the Plaintiff Appraisal, the Debtor's Petition in claim No. 9 (the Mortgage) and Claim No. 2 (the IRS Lien) the correct break down of the numbers would be as follows:

Value:	\$275,000
Less Mortgage	(\$233,743.28)
Less IRS Lien	(\$3,555.00)
Net	\$37,701.72
Debtor Share (1/2)	\$18,850.86
<u>Debtor Exemption</u>	<u>(\$23,675.00)</u>
Non-exempt	(\$4,824.14)

The Debtor may still take advantage of the exemption. However, regardless the effect of the home exemption has on the creditor, the Property value should be based on an accurate appraisal and without inclusion of the costs of sale.

For the foregoing reasons, Plaintiff respectfully requests this Court adjourn the confirmation hearing and provide available dates for a valuation hearing. Plaintiff will then submit a proposed schedule order consistent with the Court's availability.

II. The Chapter 13 Plan Cannot Be Confirmed Until After The Issues Pending In The Adversary Proceeding Are Resolved

The Plaintiff is a secured creditor through a judgment lien in the amount of \$237,300.01. Plaintiff was awarded the judgment as relief for Debtor's tortious interference with the Plaintiff's economic advantage. As the element of this tort involves willful and malicious interference, the judgement in connection with the Debtor's tortious conduct is exempt for discharge under 11 U.S.C. 532(a)(4). This issue is current pending before Your Honor. However, the Debtor seeks to confirm the Chapter 13 Plan prior to the resolution of the Plaintiff's claim that the judicial lien is not dischargeable.

A Chapter 13 Plan must comply with all the provision of Chapter 13 prior to confirmation of the plan. § 1325(a)(1). The plan must, among other things: (i) be proposed in good faith pursuant

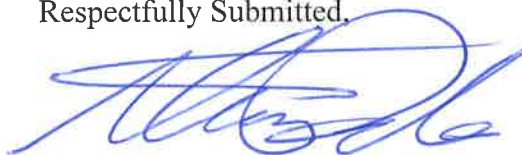
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§1325(a)(3); (ii) provide that the holder of a secured lien, retain the lien securing such claim until payment or discharge pursuant to §1325(5)(B).

Here, without resolution of the adversary proceeding that will determine the nature of the Plaintiff's debt, specifically its status as a secured non-dischargeable lien against the debtor's home, we submit that the Chapter 13 Plan cannot be confirmed under the Bankruptcy Code. Therefore, we respectfully request the confirmation hearing be adjourned until the resolution of the Adversary Proceeding.

If you have any questions, please contact this office at the number above.

Respectfully Submitted,



Thomas J. Palma

TJP/
Encl.

Cc: Stephen McNally, attorney for the Debtor (Via Email Only steve@mcnallylawllc.com)
Mary-Ann Greenberg, Chapter 13 Trustee (Via Email Only magecf@magtrustee.com;
jpetrolino@magtrustee.com)

EXHIBIT A

File No. VER HILLSDALE 6

***** INVOICE *****

File Number: VER HILLSDALE 6

05/30/2019

COMET MGT LLC / CURCIO MIRZAIAN SIROT
5 BECKER FARM ROAD
ROSELAND

Invoice # :
Order Date : 04/16/2019
Reference/Case # :
PO Number :

6 HILLSDALE TERRACE
VERNON, NJ 07461

APPRAISAL OF A SINGLE FAMILY DWELLING

\$ 600.00

\$

Invoice Total
State Sales Tax @
Deposit
Deposit

\$ 600.00

\$ 0.00

(\$)

(\$)

Amount Due

\$ 600.00

Terms: PAYABLE UPON RECEIPT

Please Make Check Payable To:

REALTY APPRAISAL, INC.
PO BOX #91
NUTLEY, NJ 07110

Fed. I.D. #: 22-2375627

REALTY APPRAISAL, INC.

Residential Appraisal Report

File No. VER HILLSDALE 6

PURPOSE	The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.																																																																																																																																																
	Client Name/Intended User: COMET MGT LLC / CURCIO MIRZAIAN SIROT E-mail: JMARRERO@CMSLLC.LAW																																																																																																																																																
	Client Address: 5 BECKER FARM ROAD City: ROSELAND State: NJ Zip: 07068																																																																																																																																																
	Additional Intended User(s): FOR THE ATTORNEYS AND/OR THE JUDGE INVOLVED IN SETTLEMENT OF A LEGAL ISSUE.																																																																																																																																																
SUBJECT	Intended Use: FOR THE SETTLEMENT OF A LEGAL ISSUE																																																																																																																																																
	Property Address: 6 HILLSDALE TERRACE City: VERNON State: NJ Zip: 07461																																																																																																																																																
	Owner of Public Record: KIRK & NICOLE WOOTEN County: SUSSEX																																																																																																																																																
	Legal Description: BLOCK #221.03, LOT #28																																																																																																																																																
SALES HISTORY	Assessor's Parcel #: 2822-00221-0003-00028-0000 Tax Year: 2018 R.F. Taxes \$ 7,772.00																																																																																																																																																
	Neighborhood Name: NOT APPLICABLE Map Reference: NAVIGATION Census Tract: 3717																																																																																																																																																
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	My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.																																																																																																																																																
	Prior Sale/Transfer: Date: 08/29/2014 Price: \$242,500 Source(s): TAX RECORDS																																																																																																																																																
	Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable):																																																																																																																																																
	THE SUBJECT PROPERTY WAS NOT FOUND TO HAVE BEEN SOLD WITHIN THE PAST THREE YEARS.																																																																																																																																																
	ACCORDING TO TAX RECORDS, THE TOTAL ASSESSMENT FOR THE SUBJECT PROPERTY IS \$288,600. THE EQUALIZATION RATIO FOR VERNON IS REPORTED TO BE 105.68 PERCENT. THEREFORE, FOR PROPERTY TAX ASSESSMENT PURPOSES, THE "EQUALIZED VALUE" OF THE SUBJECT PROPERTY IS \$273,089.																																																																																																																																																
	Offerings, options and contracts as of the effective date of the appraisal: TO THE BEST OF MY KNOWLEDGE, AS OF THE EFFECTIVE DATE OF THIS REPORT, THE SUBJECT PROPERTY WAS NOT OFFERED FOR SALE OR UNDER CONTRACT OF SALE.																																																																																																																																																
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<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.		Basement Finish	80 %	Gutters & Downspouts	ALUMINUM	Both Floor	CERAMIC TILE																																																																																																																																										
Design (Style)	COLONIAL	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type	DOUBLE HUNG	Bath Wainscot	MIXED FINISHES																																																																																																																																											
Year Built	1977		Storm Sash/Insulated	THERMOPANES	Car Storage	<input type="checkbox"/> None																																																																																																																																											
Effective Age (Yrs)	± 25		Screens	YES	<input type="checkbox"/> Driveway	# of Cars	0																																																																																																																																										
Attic	<input type="checkbox"/> None	Heating	<input type="checkbox"/> FWA <input checked="" type="checkbox"/> FFW <input type="checkbox"/> Radiant	Amenities	<input type="checkbox"/> Wood Stove(s) # 0	Driveway Surface	MACADAM																																																																																																																																										
<input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input type="checkbox"/> Other	Fuel	OIL	<input checked="" type="checkbox"/> Fireplace(s) # 1	<input type="checkbox"/> Fence	None																																																																																																																																										
<input type="checkbox"/> Floor <input type="checkbox"/> Scuttle		Cooling	<input checked="" type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Paint/Deck	Deck	<input type="checkbox"/> Porch	None																																																																																																																																										
<input type="checkbox"/> Finished <input type="checkbox"/> Heater		<input type="checkbox"/> Individual <input type="checkbox"/> Other	<input type="checkbox"/> Pool	None	<input type="checkbox"/> Other	None	Att. <input type="checkbox"/> Det. <input checked="" type="checkbox"/> Built-in																																																																																																																																										
Appliances	<input type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Range/Oven <input checked="" type="checkbox"/> Dishwasher <input type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input checked="" type="checkbox"/> Other (describe)	FAN / HOOD																																																																																																																																															
Finished area above grade contains: 9 Rooms 4 Bedrooms 2.1 Bath(s) 2,068 Square Feet of Gross Living Area Above Grade																																																																																																																																																	
Additional Features: CENTRAL AIR CONDITIONING, LARGE REAR DECK, FIREPLACE, BASEMENT RECREATION ROOM CONSIDERED IN VALUE BUT NOT IN THE ROOM COUNT OR SQUARE FOOTAGE.																																																																																																																																																	
Comments on the Improvements:																																																																																																																																																	
THE SUBJECT IS A WELL MAINTAINED, RELATIVELY YOUNG, FRAME COLONIAL DWELLING. IT WAS FOUND TO BE STRUCTURALLY SOUND, NO SIGNIFICANT REPAIRS ARE REQUIRED.																																																																																																																																																	

REALTY APPRAISAL, INC.
Residential Appraisal Report

File No. VER HILLSDALE 6

FEATURE	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3			
Address	6 HILLSDALE TERRACE VERNON, NJ 07461	8 HIGHPOINT TERRACE VERNON, NJ 07461	1669 ROUTE #565 VERNON, NJ 07461	15 MANGO DRIVE VERNON, NJ 07461			
Proximity to Subject		0.97 MILE NE	3.52 MILES SW	4.44 MILES NE			
Sale Price	\$ N/A	\$ 278,400	\$ 265,000	\$ 260,000			
Sale Price/Gross Liv. Area	\$ sq. ft.	\$ 117.22 sq. ft.	\$ 108.16 sq. ft.	\$ 122.35 sq. ft.			
Data Source(s)	FULL	MLS #3517216 10 DOM	MLS #3502710 25 DOM	MLS #3489203 19 DOM			
Verification Source(s)	INSPECTION	EXT. INSP. AND / OR MLS	EXT. INSP. AND / OR MLS	EXT. INSP. AND / OR MLS			
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION			
Sale or Financing		CONVENTIONAL FINANCING	VA FINANCING	CONVENTIONAL FINANCING			
Concessions		0	0	0			
Date of Sale/Time	CURRENT	01/22/2019	11/27/2018	11/27/2018			
Location	AVERAGE	AVERAGE	AVE. / BUSY ST.	AVERAGE			
Leasehold/Free Simple	FEE SIMPLE	FEE SIMPLE	FEE SIMPLE	FEE SIMPLE			
Site	33,202 SQ. FEET	± 15,000 SQ. FEET	± 42,000 SQ. FEET	± 42,000 SQ. FEET			
View	AVERAGE	AVERAGE	AVERAGE	AVERAGE			
Design (Style)	COLONIAL	BILEVEL	COLONIAL	COLONIAL			
Quality of Construction	AVERAGE	AVERAGE	AVERAGE	AVERAGE			
Actual Age	42	± 35	± 50	± 45			
Condition	ABOVE AVERAGE	GOOD	ABOVE AVERAGE	ABOVE AVERAGE			
Above Grade	Total Rooms Baths	Total Rooms Baths	Total Rooms Baths	Total Rooms Baths			
Room Count	9 4 2.1	9 4 2.1	8 3 2.0	8 4 2.1			
Gross Living Area	2,068 sq. ft.	± 2,375 sq. ft.	± 2,450 sq. ft.	± 2,125 sq. ft.			
Basement & Finished Rooms Below Grade	RECREATION ROOM	NO BASEMENT	NO BASEMENT	NO BASEMENT			
Functional Utility	ADEQUATE	ADEQUATE	ADEQUATE	ADEQUATE			
Heating/Cooling	H.W. / CEN. AIR	H.W. / NONE	H.W. / NONE	H.W. / NONE			
Energy Efficient Items	THERMOPANES	THERMOPANES	THERMOPANES	THERMOPANES			
Garage/Carport	2 CAR BUILT-IN	2 CAR BUILT-IN	2 CAR ATT.	2 CAR ATT.			
Porch/Patio/Deck	DECK	DECK	DECK	DECK			
Fireplace(s)	FIREPLACE	FIREPLACE	FIREPLACE	FIREPLACE			
Net Adjustment (Total)		\$ 3,000	\$ 9,000	\$ 15,500			
Adjusted Sale Price of Comparables		\$ 275,400	\$ 274,000	\$ 275,500			
Summary of Sales Comparison Approach							
EACH SALE CITED IS BASICALLY COMPARABLE TO THE SUBJECT PROPERTY IN TERMS OF AGE, SIZE, LOCATION, CONSTRUCTION QUALITY AND OVERALL MARKET APPEAL.							
COST APPROACH TO VALUE							
Site Value Comments: RECENT SALES OF DIRECTLY COMPARABLE VACANT LOTS OF SIMILAR SIZE, ZONING AND LOCATION WERE NOT FOUND THEREFORE, THE LAND RESIDUAL VALUE METHOD WAS UTILIZED IN DETERMINATION AND ESTIMATION OF THE SUBJECT'S SITE VALUE							
COST APPROACH	ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input checked="" type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE					
	Source of cost data: LOCAL BUILDERS, PROFESSIONAL COST MANUALS.	Dwelling	2,068 Sq. Ft. @ \$ 122.15	\$ 252,606			
	Quality rating from cost service: AVERAGE Effective date of cost data: CURRENT	Bsmt.	506 Sq. Ft. @ \$ 85.29	\$ 43,157			
	Comments on Cost Approach (gross living area calculations, depreciation, etc.):	Garage/Carport	528 Sq. Ft. @ \$ 64.38	\$ 33,993			
	MARSHALL & SWIFT'S COST HANDBOOK WAS UTILIZED IN THE SELECTION OF THE COST APPROACH FACTORS. NOTE THE FLOORPLAN AND DIMENSION LIST ADDENDUMS FOR A BREAKDOWN OF THE SUBJECT DWELLING'S SQUARE FOOTAGE.	Total Estimate of Cost-New		\$ 329,756			
		Less: Physical	Functional	External			
		Depreciation 40%	0%	0%			
		Depreciated Cost of Improvements	"AS-IS" / ALL CAUSES	\$ 197,854			
		"As-is" Value of Site Improvements		\$ 2,500			
		COST APPROACH NOT TO BE USED FOR INSURANCE					
INDICATED VALUE BY COST APPROACH, PURPOSES: \$ 275,354							
INCOME	INCOME APPROACH TO VALUE						
	Estimated Monthly Market Rent \$	N/A	X Gross Rent Multiplier	N/A = \$ N/A			
	Indicated Value by Income Approach						
	Summary of Income Approach (including support for market rent and GRM): ONE FAMILY HOMES WITHIN THE SUBJECT AREA ARE MOSTLY OWNER OCCUPIED. HENCE, A RELIABLE GRM CANNOT BE CALCULATED AND, THEREFORE, THE INCOME APPROACH IS NOT APPLICABLE.						
RECONCILIATION	Indicated Value by: Sales Comparison Approach \$ 275,000 Cost Approach (if developed) \$ 275,354 Income Approach (if developed) \$ N/A						
	THE COST AND SALES COMPARISON APPROACHES CONCUR. THE MOST EMPHASIS HAS BEEN PLACED UPON THE SALES COMPARISON ANALYSIS APPROACH TO VALUE.						
	This appraisal is made: <input checked="" type="checkbox"/> "as-is" <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed <input type="checkbox"/> subject to the following:						
	AS INSTRUCTED, THE SUBJECT HAS BEEN APPRAISED IN ITS "AS-IS" CONDITION FOR THE PURPOSE OF A PROPOSED BANKRUPTCY FILING.						
Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is \$ 275,000 as of 05/24/2019, which is the effective date of this appraisal.							

Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as "the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.
3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.
4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.
5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.
6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.
7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.
8. The appraiser specializes in the valuation of real property and is not a home inspector, building contractor, structural engineer, or similar expert, unless otherwise noted. The appraiser did not conduct the intensive type of field observations of the kind intended to seek and discover property defects. The viewing of the property and any improvements is for purposes of developing an opinion of the defined value of the property, given the intended use of this assignment. Statements regarding condition are based on surface observations only. The appraiser claims no special expertise regarding issues including, but not limited to: foundation settlement, basement moisture problems, wood destroying (or other) insects, pest infestation, radon gas, lead based paint, mold or environmental issues. Unless otherwise indicated, mechanical systems were not activated or tested.

This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

Unless otherwise noted, the appraiser assumes the components that constitute the subject property improvement(s) are fundamentally sound and in working order.

Any viewing of the property by the appraiser was limited to readily observable areas. Unless otherwise noted, attics and crawl space areas were not accessed. The appraiser did not move furniture, floor coverings or other items that may restrict the viewing of the property.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.
10. Unless the intended use of this appraisal specifically includes issues of property insurance coverage, this appraisal should not be used for such purposes. Reproduction or Replacement cost figures used in the cost approach are for valuation purposes only, given the intended use of the assignment. The Definition of Value used in this assignment is unlikely to be consistent with the definition of Insurable Value for property insurance coverage/use.
11. The ACI General Purpose Appraisal Report (GPAPTM) is not intended for use in transactions that require a Fannie Mae 1004/Freddie Mac 70 form, also known as the Uniform Residential Appraisal Report (URAR).

Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
 2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
 3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
 4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
 5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
 6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
 7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
 8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
 9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by
- I HAVE PERFORMED NO SERVICES, AS AN APPRAISER OR IN ANY OTHER CAPACITY, REGARDING THE PROPERTY THAT IS THE SUBJECT OF THIS REPORT WITHIN THE THREE-YEAR PERIOD IMMEDIATELY PRECEDING ACCEPTANCE OF THIS ASSIGNMENT.
- MY OPINION OF A REASONABLE EXPOSURE TIME FOR THE SUBJECT PROPERTY AT THE MARKET VALUE STATED IN THIS REPORT AS OF THE APPRAISAL'S EFFECTIVE DATE WAS ABOUT 150 DAYS.

Additional Certifications:

Definition of Value: ☒ Market Value ☐ Other Value: _____

Source of Definition: FANNIE MAE'S DEFINITION

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by the sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

ADDRESS OF THE PROPERTY APPRAISED:

6 HILLSDALE TERRACE

VERNON, NJ 07461

EFFECTIVE DATE OF THE APPRAISAL: MAY 24, 2019

APPRAISED VALUE OF THE SUBJECT PROPERTY: \$ 275,000

APPRAISER

Signature: Kenneth Russ

Name: KENNETH RUSS, SCGRE, IFA

Company Name: REALTY APPRAISAL, INC.

Company Address: P.O. BOX #91, NUTLEY, N.J. 07110

Telephone Number: (973) 284-0187

Email Address: RAIUSS@AOL.COM

State Certification #: 42RG00033500

or License #

or Other (describe) State #:

State: NEW JERSEY

Expiration Date of Certification or License: 12/31/2019

Date of Signature and Report: 05/30/2019

Date of Property Viewing: MAY 24, 2019

Degree of property viewing:

☒ Interior and Exterior ☐ Exterior Only ☐ Did not personally view

SUPERVISORY APPRAISER

Signature: _____

Name: _____

Company Name: _____

Company Address: _____

Telephone Number: _____

Email Address: _____

State Certification #

or License #

State: _____

Expiration Date of Certification or License

Date of Signature: _____

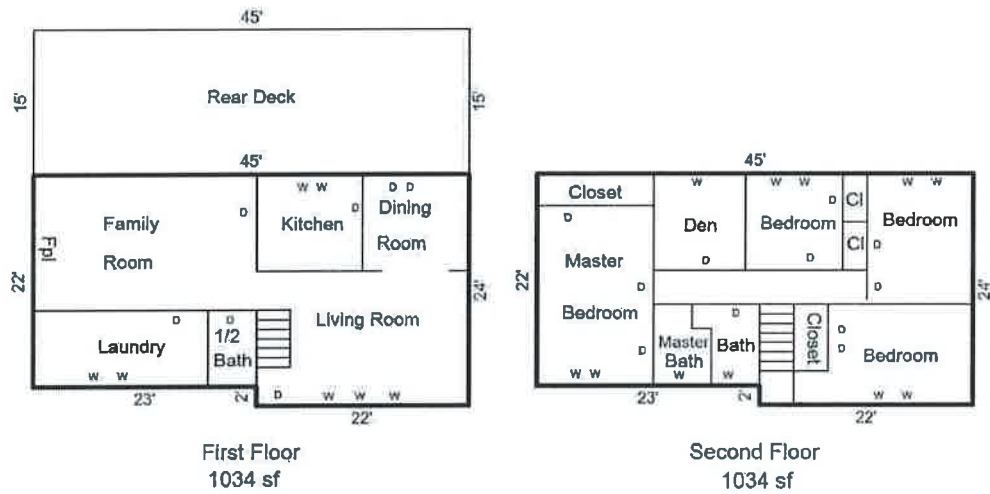
Date of Property Viewing: _____

Degree of property viewing:

☐ Interior and Exterior ☐ Exterior Only ☐ Did not personally view

FLOORPLAN SKETCH

Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT			File No.: VER HILLSDALE 6	
Property Address: 6 HILLSDALE TERRACE			Case No.:	
City:	VERNON	State:	NJ	Zip: 07461



AREA CALCULATIONS SUMMARY						Sketch by Apex Sketch				
Code	Description	Factor	Net Size	Perimeter	Net Totals	Name	Base x	Height x	Width =	Area
GBA1	First Floor	1	1034	138	1034	First Floor		24 x	22 =	528
GBA2	Second Floor	1	1034	138	1034			23 x	22 =	506
P/P	Wood Deck	1	675	120	675	Second Floor		45 x	22 =	990
								22 x	2 =	44
Net BUILDING			(rounded)		2,068	4 total items	(rounded)		2,068	

200 10271049

Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT	File No.: VER HILLSDALE 6
Property Address: 6 HILLSDALE TERRACE	Case No.:
City: VERNON	State: NJ Zip: 07461



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: MAY 24, 2019
Appraised Value: \$ 275,000



REAR VIEW OF
SUBJECT PROPERTY



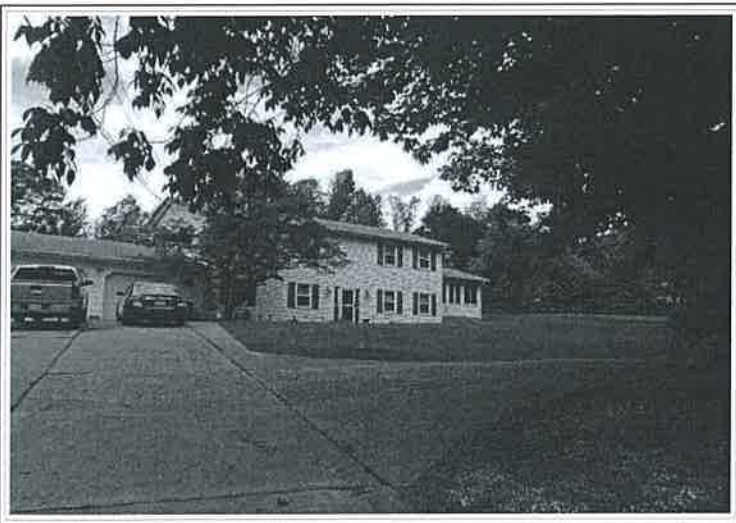
STREET SCENE

Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT		File No.: VER HILLSDALE 6	
Property Address: 6 HILLSDALE TERRACE		Case No.:	
City: VERNON	State: NJ	Zip: 07461	



COMPARABLE SALE #1

8 HIGHPOINT TERRACE
VERNON, NJ 07461
Sale Date: 01/22/2019
Sale Price: \$ 278,400



COMPARABLE SALE #2

1669 ROUTE #565
VERNON, NJ 07461
Sale Date: 11/27/2018
Sale Price: \$ 265,000



COMPARABLE SALE #3

15 MANGO DRIVE
VERNON, NJ 07461
Sale Date: 11/27/2018
Sale Price: \$ 260,000

Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT	File No.: VER HILLSDALE 6
Property Address: 6 HILLSDALE TERRACE	Case No.:
City: VERNON	State: NJ Zip: 07461



INTERIOR PHOTOGRAPHS

OF THE SUBJECT PROPERTY



Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT		File No.: VER HILLSDALE 6	
Property Address: 6 HILLSDALE TERRACE		Case No.:	
City: VERNON	State: NJ	Zip: 07461	



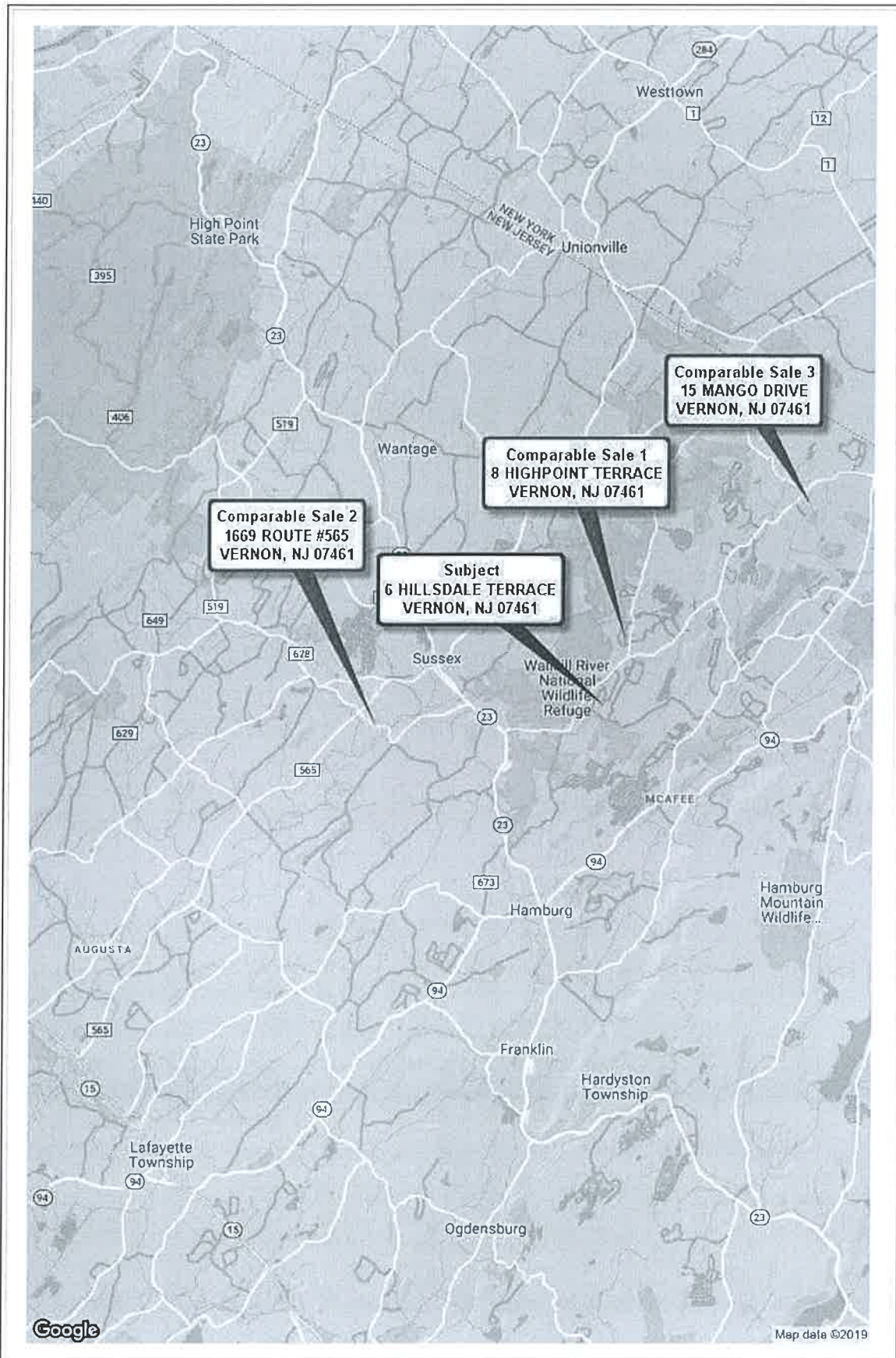
INTERIOR PHOTOGRAPHS

OF THE SUBJECT PROPERTY



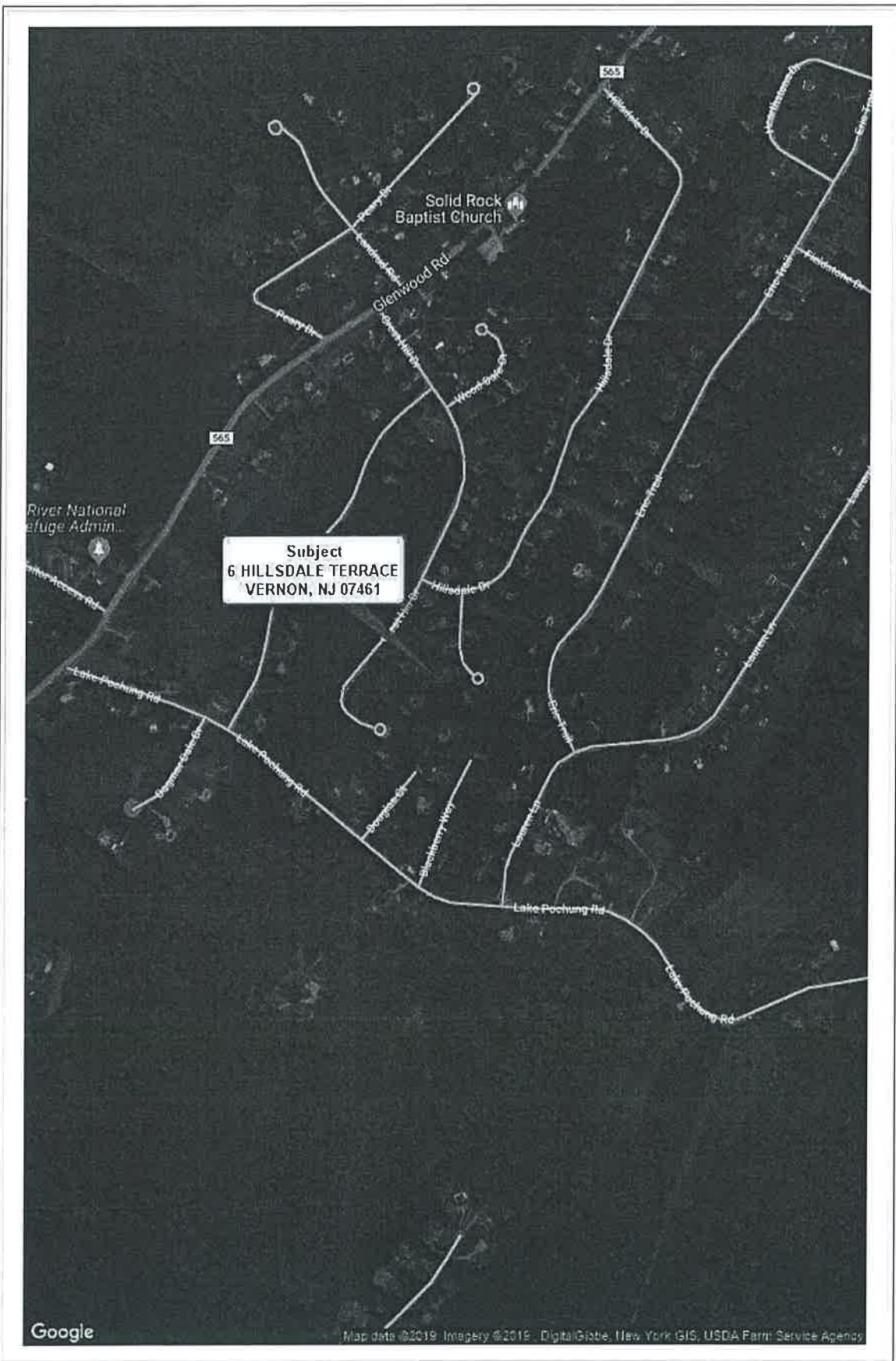
LOCATION MAP

Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT	File No.: VER HILLSDALE 6
Property Address: 6 HILLSDALE TERRACE	Case No.:
City: VERNON	State: NJ Zip: 07461



AERIAL MAP

Client: COMET MGT LLC / CURCIO MIRZAIAN SIROT		File No.: VER HILLSDALE 6	
Property Address: 6 HILLSDALE TERRACE		Case No.:	
City: VERNON	State: NJ	Zip: 07461	



Client: COMET MGT LLC / CURGIO MIRZAIAN SIROT	File No.: VER HILLSDALE 6
Property Address: 6 HILLSDALE TERRACE	Case No.:
City: VERNON	State: NJ Zip: 07461

